

STATE OF TEXAS §
COUNTY OF POLK §

DATE: OCTOBER 9, 2012
REGULAR MEETING
ALL PRESENT

**COMMISSIONERS COURT
AGENDA POSTING #2012 – 152**

BE IT REMEMBERED ON THIS THE 9TH DAY OF **OCTOBER, 2012**, THE HONORABLE COMMISSIONERS COURT MET IN “REGULAR” CALLED MEETING WITH THE FOLLOWING MEMBERS PRESENT, TO WIT;

HONORABLE JOHN P. THOMPSON, COUNTY JUDGE, PRESIDING. BOB WILLIS – COMMISSIONER PCT #1, RONNIE VINCENT – COMMISSIONER PCT #2, MILTON PURVIS – COMMISSIONER PCT #3, C.T. “TOMMY” OVERSTREET – COMMISSIONER PCT #4, SCHELANA WALKER – COUNTY CLERK AND RAY STELLY – COUNTY AUDITOR. THE FOLLOWING AGENDA ITEMS, ORDER AND DECREES WERE DULY MADE, CONSIDERED & PASSED.

1. WELCOMED & CALLED TO ORDER AT 10:00 A.M. BY JUDGE THOMPSON.
 - INVOCATION LED BY DEBORAH SHERILL, WIFE TO PASTOR JAMES SHERLL OF THE NEXT LEVEL.
 - PLEDGE OF ALLEGIANCE TO U.S. & TEXAS FLAGS LED BY JIM JOHNSON.
2. PUBLIC COMMENTS: NONE.
3. INFORMATIONAL REPORTS: JUDGE THOMPSON INFORMED COURT COMMISSIONER VINCENT BECAME A GRANDPA FOR THE SECOND TIME.

NEW BUSINESS

4. CONSENT AGENDA: JUDGE THOMPSON NOTED ITEM C INCLUDES AN ADDENDUM IN THE AMOUNT OF \$270,480.45. MOTIONED BY COMMISSIONER WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)
 - A. APPROVE MINUTES FOR SEPTEMBER 25, 2012 (REGULAR SESSION).
 - B. APPROVE BUDGET REVISIONS (FY2012) #2012-22 AND (FY2013) #2013-01, AS PRESENTED BY THE COUNTY AUDITOR AND BUDGET AMENDMENTS #2012-22(a), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)
 - C. APPROVE SCHEDULE OF BILLS, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
<u>FY 2012</u>		
9/13/12	18.65	000545
9/19/12	18,009.35	000237 – 000238
9/20/12	13,154.39	000546 – 000548

9/20/12	15,745.37	237309 – 237331
9/20/12	5,292.49	237332 – 237343
9/21/12	101.32	000549
9/21/12	543,127.23	001023
9/21/12	50.00	001448
9/21/12	258.00	110338 – 110376
9/24/12	8.40	001449
9/24/12	32,225.00	237344
9/24/12	78,592.95	237345 – 237379
9/25/12	114.48	001450 – 001455
9/25/12	10,000.00	237380
9/25/12	4,507.05	237382 - 237383
9/27/12	381,053.17	ACH 335 – 340
9/27/12	19,497.18	EFT 000056
9/27/12	3,231.16	550
9/27/12	50.00	1452
9/27/12	3,132.33	237384 – 237390
9/27/12	3,822.68	237391 – 237401
9/27/12	48,176.29	237402 – 237434
9/28/12	1,542,099.99	EFT 000057
9/28/12	3,267.00	163
9/28/12	18,083.62	000239
9/28/12	582.20	237435 – 237438
9/28/12	188,462.72	237439 – 237499
10/01/12	148,492.79	ACH 342
10/01/12	340.00	237504
10/01/12	5,053.00	237505
10/01/12	38,321.43	237506 – 237507
10/01/12	15,305.13	237508 – 237511
10/03/12	468.75	000164
10/03/12	10,724.12	237512 – 237525
<u>FY 2013</u>		
9/27/12	3,771.56	ACH 341
10/01/12	17,181.13	237500 – 237503
10/03/12	5,379.36	237526 – 237533
10/09/12	Addendum to appear on future schedule	\$270,480.45
TOTAL	\$3,177,700.29	

- D. APPROVE PERSONNEL ACTION FORMS. (SEE ATTACHED)
- E. APPROVE OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES:
(PCT 1) RESERVE C, WEAVERS COVE, CAUSE NO. T08-164; (PCT 2)
LOT 89, SECTION 4, CANYON PARK, CAUSE NO. T11-077; (PCT 3)
LOTS 8 & 9, BLOCK 5, B.C. MARSH ADDITION, CAUSE NO. T08-159;
(PCT 4) LOTS 34, 36 & 38, SECTION 17, INDIAN SPRINGS, CAUSE NO.
T10-227.

- F. APPROVE RESOLUTION NAMING TEXPOOL REPRESENTATIVES CONSISTENT WITH APPOINTMENT OF TERRI WILLIAMS AS POLK COUNTY TREASURER. (SEE ATTACHED)
- G. APPROVE INTERLOCAL AGREEMENT FOR PROVISION OF ELECTION SERVICES TO THE BIG SANDY INDEPENDENT SCHOOL DISTRICT FOR NOVEMBER 6, 2012 ELECTION.
- H. APPROVE JUSTICE OF THE PEACE, PCT. 2 REQUEST FOR EXPENDITURE OF JUSTICE COURT TECHNOLOGY FUNDS IN THE AMOUNT OF \$800 FOR THE PURCHASE OF INK CARTRIDGES FOR THE YEAR AND \$350 FOR TWO REPLACEMENT COMPUTER CHAIRS, TO INCLUDE ANY NECESSARY BUDGET AMENDMENT FOR USE OF PROPORTIONATE SHARE OF FUND BALANCE, AS NEEDED.
- I. APPROVE COUNTY CLERK'S REQUEST OF THE EARLY VOTING SCHEDULE FOR THE NOVEMBER 6, 2012 ELECTION. (SEE ATTACHED)
- J. APPROVE AGREEMENT WITH HUMBLE ELEVATOR RENEWING COURTHOUSE ELEVATOR MAINTENANCE SERVICES.
- K. RATIFY AMENDMENT TO CONTRACT WITH DEEP EAST TEXAS COUNCIL OF GOVERNMENTS OLDER AMERICANS ACT PROGRAM REFLECTING ADDITIONAL FY12 FUNDS FOR COUNTY AGING PROGRAM SENIOR CENTER OPERATIONS.
- L. APPROVE RESOLUTION AUTHORIZING THE COUNTY JUDGE TO EXECUTE A LETTER OF WAIVER FOR PAYMENT IN LIEU OF TAXES (PILOT) TO THE HOUSING AUTHORITY OF THE CITY OF LIVINGSTON. (SEE ATTACHED)
- M. ACCEPT THE EMERGENCY MANAGEMENT PERFORMANCE GRANT 12TX-EMPG-0441 FOR (STATE) FY12.
- N. APPROVE APPOINTMENT OF SHIRLEY CAIN AS PRESIDING JUDGE OF THE EARLY VOTING BOARD.
- O. APPROVE RETAINER AGREEMENT WITH ALLISON BASS & ASSOCIATES, LLP FOR ATTORNEY SERVICES RELATED TO THE POLK COUNTY COLLEGE – COMMERCE CENTER/SHELTER PROJECT.
- P. APPROVE COUNTY CLERK'S REQUEST FOR CONTRACT WITH TEXAS DEPARTMENT OF STATE HEALTH SERVICES RENEWING VITAL STATISTICS SERVICES.

JUDGE THOMPSON DISCUSSED AGENDA ITEM 5.

- 5. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO RENEW (NO COST) AGREEMENT WITH CGI COMMUNICATIONS, INC. FOR CONTINUATION OF INTERNET PROMOTIONAL VIDEO TOUR SERVICES AVAILABLE THROUGH COUNTY WEBSITE.
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 6 BY JUDGE THOMPSON & DISTRICT ATTORNEY LEE HON.

6. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO DELETE "CONSIDER AND TAKE NECESSARY ACTION RELATING TO LIVINGSTON I.S.D. REQUEST (BY RESOLUTION) FOR DISBURSEMENT OF PERMANENT SCHOOL FUNDS FOR STATED CAPITAL IMPROVEMENT/S" NOTING THAT THE COURT FINDS NO OBJECTION TO THE L.I.S.D. REQUEST BUT THAT QUESTIONS HAVE BEEN RAISED REGARDING THE DISTRIBUTION FUNDING FORMULA WHICH MUST BE RESOLVED BY THE DISTRICT ATTORNEY AND COUNTY AUDITOR BEFORE ANY DISTRIBUTION IS APPROVED.
ALL VOTING YES.

7. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO ACCEPT RECEIPT OF APPLICATION AND PRELIMINARY PLAT FOR THE REVISION (RE-SUBDIVISION) OF LOTS 12, 13 & 14, SECTION 1 OF COTTON HILL ESTATES SUBDIVISION TO INCLUDE ELIMINATION OF THE UNDEVELOPED PORTION OF CUL-DE-SAC ON EMILS RD, AND SET A PUBLIC HEARING FOR SAID APPLICATION FOR NOVEMBER 13, 2012 AT 9:30 A.M., DIRECTING NOTICES TO BE ISSUED AS REQUIRED WITHIN THE POLK COUNTY SUBDIVISION REGULATIONS.
ALL VOTING YES.

ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT THIS 9TH DAY OF OCTOBER, 2012 AT 10:11 A.M.
ALL VOTING YES.


JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:


SCHELANA WALKER, COUNTY CLERK